

STATE OF WISCONSIN  
**Senate Journal**  
Eighty-Sixth Regular Session

TUESDAY, March 27, 1984

10:00 A.M.

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

The roll was called and the following senators answered to their names:

Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Absent -- None.

Absent with leave -- None.

The senate stood for the prayer which was offered by Pastor William R. Berg of Messiah Lutheran Church, Madison.

The senate remained standing and Senator Strohl led the senate in the pledge of allegiance to the flag of the United States of America.

INTRODUCTION OF RESOLUTIONS

**Senate Joint Resolution 62**

Relating to the life and public service of William F. Trinke.

By Senator Cullen; cosponsored by Representative Coleman.

Read.

Considered as privileged and taken up.

By request of Senator Lorge, with unanimous consent, the entire membership of the Senate were made co-authors of **Senate Joint Resolution 62**.

Adopted by unanimous rising vote.

**Senate Joint Resolution 63**

Expressing the support of the legislature for the American Prisoners of War, State Department of Wisconsin, in calling for the return of all U.S. personnel who are still missing and unaccounted for in Southeast Asia.

By Senator Cullen; cosponsored by Representative Johnson, by request of American Ex-Prisoners of War, Inc. - Wisconsin Chapters.

Read and referred to committee on Labor, Business, Veterans Affairs and Insurance.

INTRODUCTION OF BILLS

Read first time and referred:

**Senate Bill 708**

Relating to absconding without paying rent and providing a penalty.

By Senators Kreul, Ellis, Engeleiter, Johnston, Lasee, McCallum, Roshell and Moen; cosponsored by Representatives Donoghue, Looby, Robinson and Lewis.

To committee on Judiciary and Consumer Affairs.

**Senate Bill 709**

Relating to parole eligibility for persons convicted of first-degree murder.

By Senator Norquist; cosponsored by Representative Crawford.

To committee on Judiciary and Consumer Affairs.

COMMITTEE REPORTS

REPORT OF JOINT SURVEY COMMITTEE ON  
TAX EXEMPTIONS

Appendix to **Senate Bill 509**

Public Policy Involved

This bill is good public policy.

MARVIN J. ROSHELL  
Co-Chair

STEVEN BRIST  
Co-Chair

Read and referred to committee on Health, Education, Corrections and Human Services.

The committee on Urban Affairs and Government Operations reports and recommends:

LARSON, BRIAN, of Eau Claire, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1987.

Confirmation:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine, Johnston and Davis;

Noes, 0 -- None.

**Assembly Bill 197**

Relating to plat surveying and mapping.

Concurrence:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine,  
Johnston and Davis;

Noes, 0 -- None.

**Assembly Bill 612**

Relating to recall petition and election procedures  
and providing a penalty.

Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine,  
Johnston and Davis;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine,  
Johnston and Davis;

Noes, 0 -- None.

**Assembly Bill 694**

Relating to canvassing, recount and absentee voting  
procedures and election officials and providing a penalty.

Concurrence:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine,  
Johnston and Davis;

Noes, 0 -- None.

**Assembly Bill 769**

Relating to a sales tax exemption for copying public  
records.

Concurrence:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine,  
Johnston and Davis;

Noes, 0 -- None.

**Assembly Bill 789**

Relating to modifying the accumulated sick leave  
conversion credit program for state employees.

Concurrence:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine,  
Johnston and Davis;

Noes, 0 -- None.

**Assembly Bill 302**

Relating to personal liability for delinquent taxes and  
other costs incurred by cities and counties.

Concurrence:

Ayes, 4 -- Senators Lee, Strohl, Van Sistine and  
Johnston;

Noes, 1 -- Senator Davis.

**Assembly Bill 1010**

Relating to revising municipal borrowing statutes.

Concurrence:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine,  
Johnston and Davis;

Noes, 0 -- None.

**Assembly Bill 1094**

Relating to a recodification and revision of town laws  
and providing penalties.

Concurrence:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine,  
Johnston and Davis;

Noes, 0 -- None.

**Assembly Bill 1112**

Relating to an appropriation for committees created  
by law or executive order.

Concurrence:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine,  
Johnston and Davis;

Noes, 0 -- None.

**Assembly Joint Resolution 96**

Relating to designation of the official state  
newspaper.

Introduction and adoption of senate amendment 1:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine,  
Johnston and Davis;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine,  
Johnston and Davis;

Noes, 0 -- None.

**Assembly Bill 540**

Relating to special elections, ballots, nominations,  
canvassing, election officials, referenda, prohibited  
election practices, registration and voting procedure,  
qualifications for office, vacancies, notices, forms and  
administration of elections, providing penalties and  
making appropriations.

Introduction and adoption of senate amendment 2:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine,  
Johnston and Davis;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Lee, Strohl, Van Sistine,  
Johnston and Davis;

Noes, 0 -- None.

MORDECAI LEE

Chair

The committee on Aging, Financial Institutions and  
State Institutions reports and recommends:

**Senate Bill 399**

Relating to authorizing participation laws and  
changing the basis for determining corporation  
membership in credit unions and making miscellaneous  
other changes affecting credit unions.

Passage:

Ayes, 4 -- Senators Feingold, Thompson,  
Czarnecki and Kincaid;

Noes, 2 -- Senators Engeleiter and Lorman.

**Senate Bill 402**

Relating to reducing exclusion of credit union  
activities in miscellaneous areas.

Passage:

Ayes, 4 -- Senators Feingold, Thompson,  
Czarnecki and Kincaid;

Noes, 2 -- Senators Engeleiter and Lorman.

RUSS FEINGOLD

Chair

The committee on Labor, Business, Veterans Affairs and Insurance reports and recommends:

**Senate Bill 558**

Relating to allowing corporations to deduct from income interest paid in order to buy their own stock for the purpose of computing income and franchise taxes.

Passage:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

**Senate Bill 686**

Relating to payment of fees for referrals to brokers.

Passage:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

**Senate Bill 689**

Relating to repealing certain restrictions on deduction of advertising, display and promotional allowances from cost under the unfair sales act.

Passage:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

**Assembly Bill 322**

Relating to exclusion of certain persons leasing motor vehicles used for taxicab purposes and other taxi equipment from coverage under the unemployment compensation act.

Concurrence:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

**Assembly Bill 462**

Relating to the department of veterans affairs.

Concurrence:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

**Assembly Bill 488**

Relating to priority of loans under the secondary mortgage loan program of the department of veterans affairs.

Concurrence:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

**Assembly Bill 824**

Relating to insurance coverage of chiropractic services.

Concurrence:

Ayes, 3 -- Senators Otte, Thompson and Chilsen;  
Noes, 3 -- Senators Van Sistine, Roshell and Engeleiter.

Indefinite postponement:

Ayes, 3 -- Senators Van Sistine, Roshell and Engeleiter; Chilsen;

Noes, 3 -- Senators Otte, Thompson and Chilsen.

Without recommendation.

**Assembly Bill 825**

Relating to rescinding involuntary dissolutions of cooperatives and stock corporations.

Concurrence:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

**Assembly Bill 930**

Relating to membership of the council on unemployment compensation, a procedure for proposing changes in unemployment compensation laws, a statement of unemployment compensation financial outlook and making an appropriation.

Introduction and adoption of senate amendment 1:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

JEROME VAN SISTINE  
Chair

The committee on Transportation reports and recommends:

**Assembly Bill 75**

Relating to permitting certain vehicles to be registered on a monthly basis.

Concurrence:

Ayes, 5 -- Senators Otte, Moen, Maurer, Kreul and Ellis;

Noes, 0 -- None.

CARL OTTE  
Chair

The committee on Health, Education, Corrections and Human Services reports and recommends:

**Assembly Bill 823**

Relating to eliminating the authority of the department of health and social services to revoke its approval of specialized services provided by hospitals and other health care professionals.

Concurrence:

Ayes, 6 -- Senators Thompson, Norquist, Strohl, Lorman, Davis and Moen;

Noes, 0 -- None.

**Assembly Bill 582**

Relating to school officials' liability for referring a pupil to the police for suspicion of possession, distribution or consumption of a controlled substance.

Concurrence:

Ayes, 5 -- Senators Thompson, Strohl, Lorman, Davis and Moen;

Noes, 1 -- Senator Norquist.

CARL W. THOMPSON  
Chair

JOURNAL OF THE SENATE [March 27, 1984]

The committee on Health, Education, Corrections and Human Services reports and recommends:

**LANG, CHARLES W.**, of Viroqua, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**WATKINS, JOSEPH L, JR.**, of Milwaukee, as a member of the Funeral Directors and Embalmers Examining Board, to serve for the term ending July 1, 1987.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**BROWN, PAUL L.**, of Madison, as a member of the Health Facilities Authority, to serve for the term ending June 30, 1991.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**MOORE, HENRY, JR.**, of Milwaukee, as a member of the Barbers Examining Board, to serve for the term ending July 1, 1987.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**WELLS, CURTIS**, of Bangor, as a member of the Barbers Examining Board, to serve for the term ending July 1, 1987.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**KELLY, KATHLEEN**, of Madison, as a member of the Dentistry Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**JACKSON, GWEN**, of Milwaukee, as a member of the Medical Examining Board, to serve for the term ending May 1, 1988.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**ROBINSON, HELEN E.**, of Minocqua, as a member of the Nursing Home Administrators Examining Board, to serve for the term ending July 1, 1987.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**OUSLEY, JOSEPH**, of Marshfield, as a member of the Medical Examining Board, to serve for the term ending May 1, 1988.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**AHN, HELEN**, of Tomah, as a member of the Medical Examining Board, to serve for the term ending May 1, 1988.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**FARRAR, LYNDA**, of Oregon, as a member of the Optometry Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**GERTLER, COLEMAN**, of Glendale, as a member of the Dentistry Examining Board, to serve for the term ending July 1, 1987.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**CRANE, DAVID**, of Cadott, as a member of the Dentistry Examining Board, to serve for the term ending July 1, 1989.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**WILLIAMS, ALLEN W., JR.**, of Milwaukee, as a member of the Medical College of Wisconsin, Inc. Board of Trustees, to serve for the term ending May 1, 1990.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**SCHAEFER, STEVEN J.**, of Madison, as a member of the Board of Nursing, to serve for the term ending July 1, 1985.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist, Lorman, Davis and Moen;

Noes, 0 -- None.

**BARNIDGE, DIANE N.**, of Madison, as a member of the Cosmetology Examining Board, to serve for the term ending July 1, 1986.

Confirmation:

Ayes, 6 -- Senators Thompson, Strohl, Norquist,  
Lorman, Davis and Moen;  
Noes, 0 -- None.

CARL W. THOMPSON  
Chair

The committee on Energy and Environmental  
Resources reports and recommends:

**Senate Bill 546**

Relating to commercial fishing, fish dealers and  
fishing with nets and revising and making penalties.

Introduction and adoption of senate amendment 1 to  
senate substitute amendment 1:

Ayes, 6 -- Senators Strohl, Adelman, Lee, Helbach,  
Opitz and Ellis;  
Noes, 0 -- None.

Introduction and adoption of senate amendment 2 to  
senate substitute amendment 1:

Ayes, 5 -- Senators Strohl, Adelman, Lee, Helbach  
and Ellis;  
Noes, 1 -- Senator Opitz.

Introduction and adoption of senate substitute  
amendment 1 as amended:

Ayes, 6 -- Senators Strohl, Adelman, Lee, Helbach,  
Opitz and Ellis;  
Noes, 0 -- None.

Passage as amended:

Ayes, 4 -- Senators Strohl, Adelman, Lee and  
Helbach;  
Noes, 2 -- Senators Opitz and Ellis.

**Assembly Bill 833**

Relating to hearing requirements prior to removing  
or causing, ordering or authorizing the removal of a  
dam.

Concurrence:

Ayes, 6 -- Senators Strohl, Adelman, Lee, Helbach,  
Opitz and Ellis;  
Noes, 0 -- None.

**Assembly Bill 719**

Relating to authorizing the department of natural  
resources to exchange certain lands for other lands.

Concurrence:

Ayes, 6 -- Senators Strohl, Adelman, Lee, Helbach,  
Opitz and Ellis;  
Noes, 0 -- None.

**Assembly Bill 953**

Relating to directing the department of health and  
social services to establish a warm room program in  
conjunction with the low income energy assistance  
program and providing for a study.

Concurrence:

Ayes, 6 -- Senators Strohl, Adelman, Lee, Helbach,  
Opitz and Ellis;  
Noes, 0 -- None.

**Assembly Bill 284**

Relating to trust fund loans for public inland lake  
protection and rehabilitation districts.

Concurrence:

Ayes, 6 -- Senators Strohl, Adelman, Lee, Helbach,  
Opitz and Ellis;  
Noes, 0 -- None.

**Assembly Bill 245**

Relating to the prohibition of the sale, distribution or  
use of 2,4,5-T and silvex and providing penalties.

Concurrence:

Ayes, 6 -- Senators Strohl, Adelman, Lee, Helbach,  
Opitz and Ellis;  
Noes, 0 -- None.

**Assembly Bill 595**

Relating to groundwater management, creating a  
council, granting rule-making authority, imposing  
penalties and making appropriations.

Introduction and adoption of senate substitute  
amendment 1:

Ayes, 6 -- Senators Strohl, Adelman, Lee, Helbach,  
Opitz and Ellis;  
Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Strohl, Adelman, Lee, Helbach  
and Ellis;  
Noes, 1 -- Senator Opitz.

**Assembly Bill 968**

Relating to authorizing group deer hunting, and  
granting rule-making authority.

Introduction and adoption of senate substitute  
amendment 1:

Ayes, 4 -- Senators Strohl, Adelman, Lee and  
Helbach.

Noes, 2 -- Senators Opitz and Ellis.

Concurrence as amended:

Ayes, 4 -- Senators Strohl, Adelman, Helbach and  
Ellis.  
Noes, 2 -- Senators Lee and Opitz.

JOE STROHL  
Chair

The committee on Judiciary and Consumer Affairs  
reports and recommends:

**Assembly Bill 293**

Relating to videotape expenses in court actions.

Concurrence:

Ayes, 5 -- Senators Adelman, Helbach, Feingold,  
Hanaway and Lorge;  
Noes, 0 -- None.

**Assembly Bill 924**

Relating to immunity from liability for persons  
reporting child abuse or neglect.

Concurrence:

Ayes, 5 -- Senators Adelman, Helbach, Feingold,  
Hanaway and Lorge;  
Noes, 0 -- None.

LYNN S. ADELMAN  
Chair

Randy Marten 2,407.40  
Trudy Fitzgerald 12.60

PETITIONS AND COMMUNICATIONS

State of Wisconsin  
Claims Board

March 22, 1984

Don Schneider  
Senate Chief Clerk  
State Capitol  
Madison, Wisconsin

Dear Mr. Schneider:

Enclosed is the report of the State Claims Board covering claims heard on March 12, 1984.

The amounts recommended for payment under \$1000 on claims included in this report have, under the provisions of s. 16.007, Wisconsin Statutes, been paid directly by the Board.

The Board is preparing the bill(s) on the recommended award(s) over \$1,000, and will submit such to the Joint Finance Committee for legislative introduction.

This report is for the information of the Legislature. The Board would appreciate your acceptance and spreading of it upon the Journal to inform the members of the Legislature.

Sincerely,  
EDWARD D. MAIN  
Secretary

STATE OF WISCONSIN  
CLAIMS BOARD

The State Claims Board conducted hearings at the State Capitol Building, Madison, Wisconsin on March 12, 1984, upon the following claims:

Claimant	Amount
Gabriel Ware, Jr.	\$118,026.00
Joseph Weinbauer	1,369.00
Shannon Cash	304.50
Noreen Lephardt	525.00
Merrick Wing	262.50
Richard Gappa	372.25
Gregory Lampe	260.00
William Campbell	510.00
Donald Knudson	387.50
Raymond Schoen	312.50

In addition, the following claims were considered and decided without hearings:

George Drinkwater	\$250,000.00
David Bowman	390.00
Max Wiltzius	583.34
Leta Freeman	618.42
Hope Quentmeyer	282.90
Thomas Cornelius	20.63

THE BOARD FINDS:

1. Gabriel Ware, Jr. of Milwaukee claims \$118,026.00 for an alleged loss of worker's compensation benefits relating to an injury he sustained at the Schlitz Brewery Company on June 30, 1970, where he was employed. His workmen's compensation claim was decided on March 26, 1976, with a finding that as a result of his injury claimant was temporarily totally disabled from July 6, 1970 to October 19, 1970 and from October 22, 1970 to November 25, 1970 and that he sustained no permanent disability as a result of the accident of June 30, 1970. Claimant alleges that the workmen's compensation decision was in error as a result of a fraudulent picture film that was admitted as an exhibit. A surveillance of the claimant was conducted in 1971 and a film was taken on September 28, 1971 at the request of Aetna Insurance Company, the insurer of Schlitz Brewery Company. The film showed a man alleged to be the claimant changing a tire of an automobile. Claimant alleges that the person shown on the film was not him, but his son. The issue of the film has been adjudicated through several proceedings and this Board cannot now second guess the authenticity of the film. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents or employees and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

2. Joseph Weinbauer of Glenbeulah claims \$1,369.00 for the cost of a property survey, attorney fees, telephone calls, time and mileage incurred as a result of a boundary dispute concerning land located in the Town of Greenbush, Sheboygan County, in October, 1981. The dispute arose after Department of Natural Resources forestry personnel marked a small tract of property for a fuelwood sale. In an attempt to resolve the dispute, claimant arrange for a survey to be conducted. The Board concludes the claim should be paid in the reduced amount of \$1,000, based on equitable principles which appears to be in line with the Department of Natural Resources' desire to amicably settle the matter with a land trade. The Board further concludes under authority of s. 16.007(6m), Stats., payment should be made from the Department of Natural Resources appropriation s. 20.370(1)(mu), Stats.

3 - 10. The following claimants allege they did not receive the pay to which they were entitled under their contracts of employment with the University of Wisconsin - LaCrosse for the 1982-83 academic year. Each of the claimants was employed at the University during the 1981-82 fiscal year and were employed as of May 1, 1982. During the months of May, June and July, 1982, each of the claimants received a letter of appointment to an academic staff position in the unclassified civil service at the University for the 1982-83 year. The salary amounts set out in the letters of appointment represented increases to each of the

claimants over their salaries for the preceding year in the amount of 8%. However, an amendment to the state biennial budget, Chapter 317, Laws of 1981, Section 2057(2)(a), effective May 1, 1982, provided that "no state employe in the unclassified service may receive any increase in salary over the rate paid to that employe on the effective date of this act for the purpose of any general economic adjustment, discretionary performance award, regrade, merit increase or other similar purpose prior to October 3, 1982, or the beginning of the payroll period of each employe closest to that date." The University then advised the claimants in letters dated August 4, 1982, that they would continue to be paid at their 1981-82 rate of pay for the first two and one-half months of service in 1982-83. The University alleges that it was initially unclear as to the treatment of the claimants under the budget amendment because they were employed under a series of one year contracts. The Board concludes on the basis of this unique situation where the University of Wisconsin-LaCrosse made an error in notifying claimants of higher salary amounts in spite of Chapter 317, Laws of 1981, that these claims should be paid in the amounts set forth below, based on equitable principles. The Board further concludes under authority of s. 16.007(6m), Stats., payment should be made from the University of Wisconsin appropriation s. 20.285(1)(a), Stats., except the claim of William Campbell which should be paid from s. 20.285(1)(n), Stats.

Shannon Cash	\$304.50
Noreen Lephardt	\$525.00
Merrick Wing	\$262.50
Richard Gappa	\$372.25
Gregory Lampe	\$260.00
William Campbell	\$435.06
Donald Knudson	\$337.50
Raymond Schoen	\$303.75

11. George Drinkwater of Milwaukee claims \$250,000.00 for pain, suffering and disability allegedly incurred as the result of a surgery performed at the University Hospital on September 9, 1980. During exploratory surgery performed on claimant's right hip, a drill bit broke off inside the hip. The doctor performing the surgery determined that surgical removal of the bit should not be undertaken because it would prolong the operation and unnecessarily increase the risks of surgical and post-operative complications. X-rays taken of claimant's hip in 1980 and 1982, showed no evidence of irritation or any reaction to the drill bit. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents, or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

12. David Bowman of Oshkosh claims \$390 for medical expenses incurred in 1983 as a result of an error made by the University of Wisconsin-Oshkosh, with respect to his health insurance. The Board concludes the claim should be paid based on equitable principles. The Board further concludes under authority of s.

16.007(6m), Stats., payment should be made from the University of Wisconsin appropriation s. 20.285(1)(a), Stats.

13. Max Wiltzius of Trego claims \$583.34 for timber stumpage value and the cost of a land survey associated with a timber sale on land in Washburn County in March, 1983. The Department of Natural Resources forestry personnel established a timber sale boundary between property owned by the Town of Chicog and property owned by claimant. While trees were being cut, claimant disputed the placement of the property line and had a survey conducted at his expense which showed that the timber sale boundary was on his property. The Board concludes the claim should be paid in the reduced amount of \$538.00, the amount of the survey costs, based on equitable principles. The Board further concludes under authority of s. 16.007(6m), Stats., payment should be made from the Department of Natural Resources appropriation s. 20.370(1)(mu), Stats.

14. Leta Freeman of Manitowoc claims \$618.42 for uninsured damages incurred to the interior of her apartment caused by a wild deer on May 18, 1983 and related expenses under unusual circumstances whereby the deer jumped through her living room window. The Board concludes the claim in the reduced amount of \$400 should be paid based on equitable principles. The Board further concludes, under authority of s. 16.007(6m), Stats., payment should be made from the Department of Natural Resources appropriation s. 20.370(1)(mu), Stats.

15. Hope Quentmeyer of Milwaukee claims \$282.90 for automobile damages incurred as she was driving out of the lot at Taycheedah Correctional Institute where she was employed. On June 2, 1983, as claimant drove through the exit her car allegedly became stuck on the gate guides damaging the car's exhaust system. The Board concludes there has been an insufficient showing of negligence on the part of the state, its employes, officers or agents and this claim is not one which the state should assume and pay based on equitable principles.

16. Thomas Cornelius of Fox Lake claims \$20.63 as the amount of charges made on his canteen account at the Green Bay Correctional Institute where claimant was incarcerated. Claimant alleges that the canteen goods were charged to his account without his approval or knowledge on December 11, 1982. The claimant filed a complaint with the Institute's Inmate Complaint Review System which found that claimant did receive and sign for canteen goods in the amount of \$20.63 on December 11, 1982. The Board concludes there has been an insufficient showing of negligence on the part of the state, its officers, agents, or employes and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

17. Randy Marten of Thorp claims \$2,407.40 for attorney fees incurred for representation in an action to dismiss charges brought against him by Eau Claire County District Attorney, which charges had been previously dismissed by the Clark County District Attorney. Claimant was charged with misdemeanors in

Clark and Eau Claire Counties from the same incident on October 8, 1981. The Clark and Eau Claire County District Attorneys agreed that all charges would be dealt with in one proceeding in Clark County. Claimant entered a plea of guilty to the first three counts of the Clark County complaint and the Eau Claire County charge were dismissed. The Eau Claire County District Attorney's office subsequently issued a warrant for claimant for the charges relating to the incident on October 8, 1981. Claimant's attorney appealed to the Court of Appeals which issued a decision that Eau Claire County could not prosecute its charges against claimant because they had been part of a plea bargain arranged in Clark County. The Board concludes there has been no showing of negligence on the part of the state, its officers, agents, or employees and this claim is not one for which the state is legally liable nor one which the state should assume and pay based on equitable principles.

18. Trudy Fitzgerald of Racine claims \$12.60 for repair of her wedding ring allegedly necessitated by an accident on October 20, 1983 at the Department of Industry, Labor and Human Relations Job Service Office in Racine, where claimant is employed. While assisting in moving office partitions another employee pushed a partition against another partition smashing claimant's hand in between the two, causing her wedding ring to split. The Board concludes the claim should be paid based on equitable principles. The Board further concludes under authority of s. 16.007(6m), Stats., payment should be made from the Department of Industry, Labor, and Human Relations appropriation s. 20.445(1)(z), Stats.

**THE BOARD CONCLUDES:**

1. The claims of the following claimants should be denied:

- Gabriel Ware, Jr.
- George Drinkwater
- Hope Quentmeyer
- Thomas Cornelius
- Randy Marten

2. Payment of the following amounts to the following claims is justified under s. 16.007, Stats.:

Joseph Weinbauer	\$1,000.00
Shannon Cash	304.50
Noreen Lephardt	525.00
Merrick Wing	262.50
Richard Gappa	372.25
Gregory Lampe	260.00
William Campbell	435.06
Donald Knudson	337.50
Raymond Schoen	303.75
David Bowman	390.00
Max Witzliuz	538.00
Leta Freeman	400.00
Trudy Fitzgerald	12.60

Dated at Madison, Wisconsin this 22nd day of March, 1984.

**GERALD D. KLECZKA**  
(Absent)

Senate Finance Committee

**MARLIN D. SCHNEIDER**  
Assembly Finance Committee

**DANAE DAVIS GORDON**  
Representative of Governor

**EDWARD D. MAIN**  
Representative of Secretary of Administration

**WILLIAM H. WILKER**  
Representative of Attorney General

**EXECUTIVE COMMUNICATIONS**

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

March 22, 1984

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill	Act No.	Date Approved
56-----	179-----	March 22, 1984
79-----	164-----	March 22, 1984
319-----	165-----	March 22, 1984
351-----	166-----	March 22, 1984
434-----	167-----	March 22, 1984
555-----	168-----	March 22, 1984
560-----	169-----	March 22, 1984
566-----	170-----	March 22, 1984

Respectfully,  
**ANTHONY S. EARL**  
Governor

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

March 23, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint **DOROTHY WITTE AUSTIN** of Milwaukee to the Ethics Board pursuant the statute governing, to serve for a term to expire May 1, 1990.

Respectfully,  
**ANTHONY S. EARL**  
Governor

Read and referred to committee on Urban Affairs and Government Operations.

JOURNAL OF THE SENATE [March 27, 1984]

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

March 23, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PATRICIA D. STRUCK of Madison to the Podiatrists Examining Council pursuant the statute governing, to serve for a term to expire July 1, 1988.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Health, Education, Corrections and Human Services.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

March 23, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MARY ANN THEDINGA of Menomonie to the Physical Therapists Examining Council pursuant the statute governing, to serve for a term to expire July 1, 1988.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Health, Education, Corrections and Human Services.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

March 23, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint FREDERIC COPP of Woodruff to the Architects, Professional Engineers, Designers and Land Surveyors Examining Board pursuant the statute governing, to serve for a term to expire July 1, 1987.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Urban Affairs and Government Operations.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

March 23, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MARVIN KRUESEL of Milwaukee to the Architects, Professional Engineers, Designers and Land Surveyors Examining Board pursuant the statute governing, to serve for a term to expire July 1, 1987.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Urban Affairs and Government Operations.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

March 23, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PREMAL SHETH of Eau Claire to the Architects, Professional Engineers, Designers and Land Surveyors Examining Board pursuant the statute governing, to serve for a term to expire July 1, 1986.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Urban Affairs and Government Operations.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

March 23, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint FRANK DUSEK of Phillips to the Snowmobile Recreation Council pursuant to the statute governing, to serve a term to expire July 1, 1987.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Energy and Environmental Resources.

JOURNAL OF THE SENATE [March 27, 1984]

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

March 23, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint SUSAN HILLIARD of Briggsville to the Snowmobile Recreation Council pursuant to the statute governing, to serve a term to expire July 1, 1986.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Energy and Environmental Resources.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

March 23, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint DONALD KIRN of Willard to the Snowmobile Recreation Council pursuant to the statute governing, to serve a term to expire July 1, 1987.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Energy and Environmental Resources.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

March 23, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ANTHONY L. RUSSOS of Boulder Junction to the Snowmobile Recreation Council pursuant to the statute governing, to serve a term to expire July 1, 1987.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Energy and Environmental Resources.

State of Wisconsin  
Office of the Governor  
Madison, Wisconsin

March 23, 1984

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ROBERT STEFFES

of Two Rivers to the Snowmobile Recreation Council pursuant to the statute governing, to serve a term to expire July 1, 1987.

Respectfully,  
ANTHONY S. EARL  
Governor

Read and referred to committee on Energy and Environmental Resources.

---

CALENDAR OF MARCH 27

LARSON, BRIAN, of Eau Claire, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1987.

Read.

The question was: Shall the appointment be confirmed?

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- None.

So the appointment was confirmed.

By request of Senator Chilsen, with unanimous consent, the Senate returned to the second order of business.

---

INTRODUCTION OF RESOLUTIONS

**Senate Resolution 21**

Requesting that the Secretary of the U.S. Department of Agriculture adopt the U.S.D.A. proposed regulations revising cheese labeling requirements for meat and poultry products and the standard for pizza products containing meat, as published in the Federal Register, August 5, 1983, under docket heading 78-733P.

By Senators Chilsen, Moen, Harsdorf, Engeleiter and Roshell.

Read and referred to committee on Agriculture and Rural Affairs.

---

SENATE CLEARINGHOUSE ORDERS

**Clearinghouse Rule 83-133**

AN ORDER to repeal RL 18.03 (4) (d); to renumber RL 18.02 (3) (c); to renumber and amend RL 18.02 (3) (d) and 18.07; to amend RL 18.02 (3) (a), 18.03 (1) (a) and (b), (4) (b) and (c), (5) (a) and (b) and (6) (b), 18.04 (1), (2) (a) and (b), (3) (intro.) and (4), 18.06, 18.08 (2), 18.09 (4),

18.10, 18.13 (intro.), (1) (b), (2), (3), (4) and (5) and 18.14; and to create RL 18.02 (2m), 18.03 (1) (am) and (c) and 18.07 (2), relating to real estate trust accounts.

Submitted by Department of Regulation and Licensing.

Report received from agency, March 23, 1984.

Referred to committee on Urban Affairs and Government Operations, March 27, 1984.

**Clearinghouse Rule 83-149**

AN ORDER to create Ind 80.38, relating to worker's compensation assessment.

Submitted by Department of Industry, Labor and Human Relations.

Report received from agency, March 23, 1984.

Referred to committee on Labor, Business, Veterans Affairs and Insurance, March 27, 1984.

---

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in:

- Assembly Bill 173
- Assembly Bill 454
- Assembly Bill 577
- Assembly Bill 837
- Assembly Bill 913
- Assembly Bill 1006
- Assembly Bill 1007
- Assembly Bill 1016
- Assembly Bill 1017

Concurred in:

- Senate Bill 251
- Senate Bill 275
- Senate Bill 301
- Senate Bill 318
- Senate Bill 611

Senate Bill 11, senate amendment 1 to assembly substitute amendment 2

Amended and concurred in as amended:

- Senate Bill 480, assembly amendments 1, 2, 3 and 4
- Senate Bill 161, assembly amendment 1 to senate amendment 1 to assembly substitute amendment 1
- Senate Bill 663, assembly substitute amendment 2

---

MESSAGE FROM THE ASSEMBLY  
CONSIDERED

**Assembly Bill 173**

Relating to sentencing guidelines and making an appropriation.

By Representatives D. Travis, Plous, Ulichny, Becker, Schneiders and Loftus, co-sponsored by Senators Adelman, Norquist, Hanaway and Johnston.

Read first time and referred to committee on Judiciary and Consumer Affairs.

**Assembly Bill 454**

Relating to an adjustment to state aid to a school district upon redetermination of assessment of manufacturing property within the school district and making an appropriation.

By Representatives Rogers and Hephner, by request of Al Brown, Superintendent of Schools, Kimberly, WI.

Read first time and referred to committee on Health, Education, Corrections and Human Services.

**Assembly Bill 577**

Relating to prohibiting counties, cities, villages, towns and public school districts from imposing residency requirements on certain employees.

By Representatives Robinson, Lewis, Gilson, Jauch, Clarenbach, Looby, Chvala, Wineke, Merkt and Antaramian, co-sponsored by Senator Kincaid.

Read first time and referred to committee on Urban Affairs and Government Operations.

By request of Senator Cullen, with unanimous consent, **Assembly Bill 577** was withdrawn from committee on Urban Affairs and Government Operations and referred to committee on Senate Organization.

**Assembly Bill 837**

Relating to various changes in the regulation of lobbying, providing penalties and making appropriations.

By Representatives Roberts, Brist, Loftus, Vanderperren, Johnson, Radtke, T. Thompson, Stower, Crawford, Metz, Potter, Plewa, Schneider, D. Travis, Andrea, Rogers, Hauke, Chvala, Manske and Gilson, co-sponsored by Senators Adelman, Lee, Feingold, Kleczka, Offner, Cullen, Strohl, Hanaway, Van Sistine, Risser, Maurer, Theno, Otte, Lorman and Helbach, by request of Secretary of State Douglas La Follette.

Read first time and referred to committee on Judiciary and Consumer Affairs.

**Assembly Bill 913**

Relating to budget hearings in common and union high school districts.

By Representatives R. Travis, Rogers, Turba, Merkt, Sell and Volk.

Read first time and referred to committee on Health, Education, Corrections and Human Services.

**Assembly Bill 1006**

Relating to entries on a judgment docket.

By Representatives Lewis, Andrea, Medinger, Horvath, Goetsch, Manske, Chvala, Crawford, Prosser, Wimmer, Schober, Rude, Brist, Shoemaker, Hauke, Wineke, Antaramian, M. Coggs, S. Coggs, Smith, Holschbach, Looby, R. Thompson, Gronemus, Williams, Clarenbach and Metz, co-sponsored by Senator Moen.

Read first time and referred to committee on Judiciary and Consumer Affairs.

JOURNAL OF THE SENATE [March 27, 1984]

**Assembly Bill 1007**

Relating to reporting, recording and depositing requirements in traffic regulation actions.

By Representatives Lewis, Andrea, Medinger, Horvath, Goetsch, Manske, Chvala, Crawford, Prosser, Schober, Rude, Shoemaker, Hauke, Wineke, Antaramian, Gilson, Smith, Holschbach, R. Thompson, Gronemus, Williams, Clarenbach and Metz, co-sponsored by Senator Moen.

Read first time and referred to committee on Judiciary and Consumer Affairs.

**Assembly Bill 1016**

Relating to various changes in the forestry laws.

By Representatives Holperin, Stower, Gilson, Horvath, Robinson and Jaronitzky.

Read first time and referred to committee on Energy and Environmental Resources.

**Assembly Bill 1017**

Relating to eligibility for relief to needy Indian persons.

By Representatives Smith, M. Coggs, Donoghue, Metz, Stower, Zeuske, Volk, D. Travis, Jaronitzky and Holperin, co-sponsored by Senators Kincaid, Chilsen, Thompson, Otte, Theno and Helbach.

Read first time and referred to committee on Health, Education, Corrections and Human Services.

By request of Senator Maurer, with unanimous consent, the senate recessed until 10:48 A.M.

10:31 A.M.

RECESS

10:48 A.M.

The senate reconvened.

CALENDAR OF MARCH 27

**Senate Bill 33**

Relating to regulation of public utilities by the public service commission, providing for a study and granting rule-making authority.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 offered by Senators Strohl and Ellis.

By request of Senator Strohl, with unanimous consent, **Senate Bill 33** was placed after **Senate Bill 545**.

**Senate Bill 538**

Relating to termination of guardianship.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 offered by Senators Davis and Engeleiter.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

Adopted.

Senate amendment 2 to senate substitute amendment 1 offered by Senator Engeleiter.

The question was: Adoption of senate amendment 2 to senate substitute amendment 1?

Adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

**Senate Bill 538**

Read a third time and passed.

**Senate Bill 545**

Relating to prohibiting utility charges for certain public utility deferred income taxes.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 offered by Senators Strohl and Ellis.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

Adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

**Senate Bill 545**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 18; noes, 14; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Helbach, Johnston, Kleczka, Lee, McCallum, Maurer, Norquist, Risser, Strohl and Thompson -- 18.

Noes -- Senators Chilsen, Hanaway, Harsdorf, Kincaid, Kreul, Lasee, Lorge, Lorman, Moen, Opitz, Otte, Roshell, Theno and Van Sistine -- 14.

Absent or not voting -- None.

So the bill passed.

**Senate Bill 33**

Relating to regulation of public utilities by the public service commission, providing for a study and granting rule-making authority.

Read a second time.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

Adopted.

The question was: Adoption of senate substitute amendment 1?

Senator Ellis moved that **Senate Bill 33** be indefinitely postponed.

The question was: Shall **Senate Bill 33** be indefinitely postponed?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 11; absent or not voting, 0; as follows:

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lorge, Lorman, McCallum, Maurer, Moen, Opitz, Otte, Roshell, Theno and Van Sistine -- 21.

Noes -- Senators Adelman, Cullen, Czarnecki, Feingold, George, Helbach, Lee, Norquist, Risser, Strohl and Thompson -- 11.

Absent or not voting -- None.

So the bill was indefinitely postponed.

**Assembly Joint Resolution 97**

Relating to observing the week of April 15 to 21, 1984, as Victims Rights Week.

Read.

Concurred in.

**Assembly Bill 59**

Relating to use of the term "action affecting the family".

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 59**

Read a third time and concurred in.

**Assembly Bill 144**

Relating to registration requirements for professional engineers.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 144**

Read a third time and concurred in.

**Assembly Bill 169**

Relating to the consumption of beer and liquor by minors and creating a penalty.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 169**

Read a third time and concurred in as amended.

**Assembly Bill 172**

Relating to intoxicating liquor license quotas.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 172**

Read a third time and concurred in.

**Assembly Bill 283**

Relating to annual reports by and involuntary dissolution of nonstock corporations.

Read a second time.

Ordered to a third reading.

Senator Cullen asked unanimous consent that the rules be suspended and the bill be considered for final action at this time.

Senator Chilsen objected.

Senator Van Sistine moved that the rules be suspended and the bill be considered for final action at this time.

The question was: Shall the rules be suspended and **Assembly Bill 283** be considered for final action at this time?

The ayes and noes were required and the vote was: ayes, 19; noes, 13; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Cullen, Czarnecki, Feingold, George, Helbach, Kincaid, Kleczka, Lee, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 19.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Lasee, Lorge, Lorman, McCallum and Opitz -- 13.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the motion did not prevail.

**Assembly Bill 359**

Relating to qualification for unemployment compensation benefits by individuals receiving benefits under the federal longshoreman's and harbor workers' compensation act or similar federal programs.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 359**

Read a third time and concurred in.

**Assembly Bill 401**

Relating to vocational rehabilitation of handicapped persons, making an appropriation, imposing a penalty and granting rule-making authority.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

The question was: Adoption of senate amendment 2?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 401**

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarneski, Davis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Noes -- None.

Absent or not voting -- Senator Ellis -- 1.

So the bill was concurred in as amended.

**Assembly Bill 405**

Relating to business improvement districts.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Senate amendments 2, 3, 4 and 5 offered by Senator Adelman.

The question was: Adoption of senate amendment 2?

Senator Strohl moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; absent or not voting, 0; as follows:

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Helbach, Johnston, Kreul, Lasee, Lorge, Lorman, McCallum, Opitz, Otte, Strohl, Theno, Thompson and Van Sistine -- 19.

Noes -- Senators Adelman, Cullen, Czarneski, Feingold, George, Kincaid, Kleczka, Lee, Maurer, Moen, Norquist, Risser and Roshell -- 13.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 3?

Senator Strohl moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 14; absent or not voting, 0; as follows:

Ayes -- Senators Chilsen, Cullen, Davis, Ellis, Engeleiter, George, Hanaway, Harsdorf, Helbach, Johnston, Kreul, Lasee, Lorman, McCallum, Opitz, Otte, Strohl and Theno -- 18.

Noes -- Senators Adelman, Czarneski, Feingold, Kincaid, Kleczka, Lee, Lorge, Maurer, Moen, Norquist, Risser, Roshell, Thompson and Van Sistine -- 14.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 4?

Senator Strohl moved rejection of senate amendment 4.

The question was: Rejection of senate amendment 4?

By request of Senator Cullen, with unanimous consent, the senate recessed until 2:30 P.M.

12:17 P.M.

---

RECESS

2:30 P.M.

The senate reconvened.

---

LEAVE OF ABSENCE

By request of Senator Norquist, with unanimous consent, Senator Cullen was granted a leave of absence for the balance of today's session.

Senator Norquist asked unanimous consent that all action be ordered immediately messaged.

Senator Engeleiter objected.

The question was: Rejection of senate amendment 4?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 11; absent or not voting, 3; as follows:

Ayes -- Senators Chilsen, Davis, Engeleiter, George, Harsdorf, Helbach, Johnston, Kleczka, Kreul, Lasee, Lorge, Lorman, McCallum, Maurer, Otte, Strohl, Theno and Van Sistine -- 18.

Noes -- Senators Adelman, Czarneski, Feingold, Hanaway, Kincaid, Lee, Moen, Norquist, Risser, Roshell and Thompson -- 11.

Absent or not voting -- Senators Cullen, Ellis and Opitz -- 3.

So the motion prevailed.

The question was: Adoption of senate amendment 5?

Senator Strohl moved rejection of senate amendment 5.

The question was: Rejection of senate amendment 5? The motion prevailed.

Senate amendment 6 offered by Senators Czarneski and Norquist.

The question was: Adoption of senate amendment 6?

6. Senator Strohl moved rejection of senate amendment

The question was: Rejection of senate amendment 6?

The ayes and noes were demanded and the vote was: ayes, 24; noes, 6; absent or not voting, 2; as follows:

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Feingold, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kreul, Lasee, Lorge, Lorman, McCallum, Maurer, Moen, Opitz, Otte, Roshell, Strohl, Theno, Thompson and Van Sistine -- 24.

Noes -- Senators Adelman, Czarnecki, George, Lee, Norquist and Risser -- 6.

Absent or not voting -- Senators Cullen and Kleczka - 2.

So the motion prevailed.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 405**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 26; noes, 5; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kleczka, Lasee, Lorge, Lorman, McCallum, Maurer, Moen, Opitz, Otte, Risser, Roshell, Strohl, Theno and Van Sistine -- 26.

Noes -- Senators Kincaid, Kreul, Lee, Norquist and Thompson -- 5.

Absent or not voting -- Senator Cullen -- 1.

So the bill was concurred in as amended.

**Assembly Bill 457**

Relating to the sale of tax delinquent real estate.  
Read a second time.

Senator Adelman moved reconsideration of the vote by which **Assembly Bill 405** was concurred in.

Senator Adelman asked unanimous consent that the motion for reconsideration of the vote by which **Assembly Bill 405** was concurred in be laid on the table.  
Senator Strohl objected.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 457**

Read a third time and concurred in.

**Assembly Bill 405**

Relating to business improvement districts.  
Read.

The question was: Reconsideration of the vote by which **Assembly Bill 405** was concurred in?

By request of Senator Adelman, with unanimous consent **Assembly Bill 405** was placed at the foot of the calendar.

**Assembly Bill 537**

Relating to disability benefits for county undersheriffs, deputy sheriffs and county traffic police officers.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 537**

Read a third time and concurred in.

**Assembly Bill 565**

Relating to the issuance of intoxicating liquor licenses.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 565**

Read a third time and concurred in.

**Assembly Bill 571**

Relating to reporting and investigating abuse or neglect of elder persons, making an appropriation and providing penalties.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Adelman, with unanimous consent, senate amendment 1 was laid on the table.

Senate amendments 2 and 3 offered by Senator Adelman.

The question was: Adoption of senate amendment 2?  
Adopted.

The question was: Adoption of senate amendment 3?  
Adopted.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 571**

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Noes -- None.

Absent or not voting -- Senator Cullen -- 1.

So the bill was concurred in as amended.

**Assembly Bill 616**

Relating to changing incorrect cross-references to school benefit insurance plans and eliminating duplicative health insurance provisions (suggested as remedial legislation by the commissioner of insurance).

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 616**

Read a third time and concurred in.

**Assembly Bill 641**

Relating to prohibiting racial discrimination by real estate brokers and salespersons and providing penalties.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 641**

Read a third time and concurred in.

**Assembly Bill 680**

Relating to form of records submitted for recording in the office of the county register of deeds.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 680**

Read a third time and concurred in as amended.

**Assembly Bill 707**

Relating to investment of retirement funds in 1st class cities.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 707**

Read a third time and concurred in.

**Assembly Bill 846**

Relating to providing certain employment opportunities to persons laid off from the state classified civil service.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 846**

Read a third time and concurred in.

**Assembly Bill 847**

Relating to permits for vehicles transporting bales of hay in loads which exceed width limitations.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 847**

Read a third time and concurred in.

**Assembly Bill 850**

Relating to revision of the membership of boards and examining boards in the department of regulation and licensing.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 850**

Read a third time and concurred in.

**Assembly Bill 887**

Relating to authorizing a school district administrator to determine whether an institution is a private school according to specified criteria and providing for an appeal of his or her decision.

Read a second time.

The question was: Adoption of senate amendment 1?

Senate amendment 3 offered by Senator Thompson, by request of Janet Kassel, Home Schools.

Senate amendment 4 offered by Senator Thompson by request of Wisconsin Association of Christian Schools.

Senate substitute amendment 1 offered by Senators Roshell, Opitz, Van Sistine, Theno, Chilsen, Lasee, Engeleiter, Kreul, McCallum and Ellis.

By request of Senator Engeleiter, with unanimous consent, **Assembly Bill 887** was placed at the foot of the calendar.

**Assembly Bill 927**

Relating to the state public defender and making appropriations.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Adelman asked unanimous consent that senate amendment 1 be laid on the table.

Senator Chilsen objected.

By request of Senator Maurer, with unanimous consent, senate amendment 1 was returned to the author.

The question was: Adoption of senate amendment 2?

Adopted.

The question was: Adoption of senate amendment 3?

Adopted.

Senate amendment 4 offered by Senator Chilsen.

The question was: Adoption of senate amendment 4?

Senator George moved rejection of senate amendment 4.

The question was: Rejection of senate amendment 4?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 12; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Czarnecki, Davis, Feingold, George, Hanaway, Helbach, Kincaid, Kleczka, Lee, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 19.

Noes -- Senators Chilsen, Ellis, Engeleiter, Harsdorf, Johnston, Kreul, Lasee, Lorge, Lorman, McCallum, Opitz and Theno -- 12.

Absent or not voting -- Senator Cullen -- 1.

So the motion prevailed.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

#### **Assembly Bill 927**

Read a third time.

The ayes and noes were required and the vote was: ayes, 27; noes, 4; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Czarnecki, Davis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 27.

Noes -- Senators Ellis, Kreul, Lasee and Opitz -- 4.

Absent or not voting -- Senator Cullen -- 1.

So the bill was concurred in as amended.

#### **Assembly Bill 949**

Relating to applicability of absolute sobriety requirement for certain drivers.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

#### **Assembly Bill 949**

Read a third time and concurred in.

Senator Norquist asked unanimous consent that all action be ordered immediately messaged.

Senator Chilsen objected.

#### **Assembly Bill 959**

For the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of agencies, officers and institutions, correcting and clarifying references, renumbering for better location and arrangement, eliminating duplications and unnecessary or obsolete provisions, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

#### **Assembly Bill 959**

Read a third time and concurred in.

Senator Adelman moved reconsideration of the vote by which **Assembly Bill 927** was concurred in.

By request of Senator Norquist, with unanimous consent, all action was ordered immediately messaged.

The question was: Reconsideration of the vote by which **Assembly Bill 927** was concurred in?

The ayes and noes were demanded and the vote was: ayes, 12; noes, 19; absent or not voting, 1; as follows:

Ayes -- Senators Chilsen, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Lasee, Lorge, Lorman, Opitz and Theno -- 12.

Noes -- Senators Adelman, Czarnecki, Davis, Feingold, George, Helbach, Kincaid, Kleczka, Lee, McCallum, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 19.

Absent or not voting -- Senator Cullen -- 1.

So the motion did not prevail.

#### **Assembly Bill 976**

Relating to revising the penalties for operating a motor vehicle without a valid license, operating a motor-driven cycle without a cycle endorsement, operating a moped or motor bicycle without an operator's license or special restricted operator's license and violating a license restriction.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

#### **Assembly Bill 976**

Read a third time and concurred in.

#### **Assembly Bill 987**

Relating to miscellaneous changes in reports that state agencies are required to submit to the governor or the legislature, hospital surveys and construction, and highway construction by department of transportation employees.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 987**

Read a third time and concurred in.

**Assembly Bill 1012**

Relating to creating a mission and purpose statement for the vocational, technical and adult education system.

Read a second time.

Senate amendment 1 offered by Senator McCallum.

The question was: Adoption of senate amendment 1? Adopted.

Senate amendment 2 offered by Senator Lee.

The question was: Adoption of senate amendment 2? Adopted.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 1012**

Read a third time and concurred in as amended.

**Assembly Bill 1102**

Relating to the requirement for a referendum regarding the intention of a vocational, technical and adult education district board to make a capital expenditure in excess of \$500,000.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 1102**

Read a third time and concurred in.

**Assembly Bill 1113**

Relating to interstate cooperation and abolition of the commission on interstate cooperation.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

**Assembly Bill 1113**

Read a third time and concurred in.

**Assembly Bill 405**

Relating to business improvement districts.

Read.

By request of Senator Adelman, with unanimous consent, **Assembly Bill 405** was placed after **Assembly Bill 887**.

**Assembly Bill 887**

Relating to authorizing a school district administrator to determine whether an institution is a private school according to specified criteria and providing for an appeal of his or her decision.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Senator Thompson asked unanimous consent that senate substitute amendment 1 be placed after senate amendment 4.

Senator Roshell objected.

The question was: Adoption of senate substitute amendment 1?

Senator Strohl moved rejection of senate substitute amendment 1.

The question was: Rejection of senate substitute amendment 1?

By request of Senator Hanaway, with unanimous consent, the senate recessed until 4:57 P.M.

4:36 P.M.

RECESS

4:57 P.M.

The senate reconvened.

The question was: Rejection of senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 18; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Czarnecki, Feingold, George, Johnston, Kleczka, Lee, Maurer, Moen, Otte, Risser, Strohl and Thompson -- 13.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lorge, Lorman, McCallum, Norquist, Opitz, Roshell, Theno and Van Sistine -- 18.

Absent or not voting -- Senator Cullen -- 1.

So the motion did not prevail.

Senate amendment 1 to senate substitute amendment 1 offered by Senator Engeleiter.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

Adopted.

The question was: Adoption of senate substitute amendment 1?

Senator Strohl asked unanimous consent that **Assembly Bill 887** be referred to committee on Senate Organization.

Senator Roshell objected.

Senator Strohl moved that **Assembly Bill 887** be referred to committee on Senate Organization.

The question was: Shall **Assembly Bill 887** be referred to committee on Senate Organization?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 15; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Czarnecki, Feingold, George, Hanaway, Helbach, Kleczka, Lee, Lorman, Maurer, Moen, Norquist, Otte, Risser, Strohl and Thompson -- 16.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Harsdorf, Johnston, Kincaid, Kreul, Lasee, Lorge, McCallum, Opitz, Roshell, Theno and Van Sistine -- 15.

Absent or not voting -- Senator Cullen -- 1.

So the motion prevailed.

**Assembly Bill 405**

Relating to business improvement districts.  
Read.

The question was: Reconsideration of the vote by which **Assembly Bill 405** was concurred in?

By request of Senator Adelman, with unanimous consent, he withdrew his motion for reconsideration of the vote by which **Assembly Bill 405** was concurred in.

By request of Senator Kincaid, with unanimous consent, the journal showed that he should have voted "aye" for concurrence of **Assembly Bill 405**.

By request of Senator Norquist, with unanimous consent, all action was ordered immediately messaged.

Upon motion of Senator Norquist the senate adjourned until 10:00 A.M. Wednesday, March 28.  
5:09 P.M.

---

**CHIEF CLERK'S CORRECTION**

Suggested by Legislative Reference Bureau

**Assembly Bill 595**

1. Page 2, line 8: substitute "coordinating" for "management".

2. Page 2, line 9: substitute "animal" for "annual".

3. Page 63, line 4: delete that line and substitute: "under s.144.027 or 144.265".

NOTE: Corrects cross-reference due to adoption of assembly amendment 14.

**Assembly Bill 837**, assembly amendment 2 to assembly substitute amendment 1

In engrossing, the following correction was made:

1. Page 1, line 10: after that line insert:

"7m. Page 13, line 15: delete "subds. 3 and 4" and substitute "subd. 3"."

NOTE: Assembly amendment 2 deletes s. 13.68(1)(b) 4 from the substitute amendment.

---

**AMENDMENTS OFFERED**

Senate substitute amendment 2 to **Senate Bill 256** by Senator Chilsen.